

Mr. PHELPS thereupon renewed the motion, that the order be laid upon the table.

Mr. HARBINE asked the yeas and nays, which were ordered.

And the question "shall the order be laid upon the table," was then taken and resulted as follows:

*Affirmative*—Messrs. Morgan, Ricaud, Lee, Chambers of Kent, Mitchell, Donaldson, Dorsey, Wells, Randall, Kent, Weems, Dalrymple, John Dennis, Crisfield, Dashiell, Hicks, Goldsborough, Eccleston, Phelps, Bowie, Tuck, Sprigg, Spencer, Grason, George, Wright, Dirickson, McMaster, Hearn, Jacobs, Davis, Kilgour and Smith—33.

*Negative*—Messrs. Chapman, President; Sellman, Brent of Charles, Merrick, Buchanan, Bell, Welch, Ridgely, Lloyd, Sherwood of Talbot, Colston, Miller, Bowling, Thomas, Shriver, Johnson, Gaither, Biser, Annan, Sappington, Nelson, Stewart of Caroline, Hardcastle, Gwinn, Stewart of Baltimore city, Brent of Baltimore city, Sherwood of Baltimore city, Ware, Schley, Fiery, Neill, Harbine, Brewer, Anderson, Weber, Hollyday, Slicer, Fitzpatrick, Parke and Shower—40.

So the Convention refused to lay the order on the table.

The question then recurred upon the motion of Mr. SPENCER, to postpone said order until Tuesday next.

Mr. SPENCER withdrew the motion.

Mr. BRENT, of Baltimore city, offered as a substitute for said order, the following:

"*Ordered*, That after this day, no member shall be allowed to debate the judiciary report longer than half an hour, and that all debate on this subject, shall cease on Thursday, 25th of April, at twelve o'clock, except so far as to allow the mover of any proposition or amendment, ten minutes for explanatory remarks."

Which was read.

Mr. ANNAN accepted the substitute.

Mr. PHELPS moved to amend said substitute by striking out "half an hour" and inserting in lieu thereof "one hour."

Determined in the negative.

The question then recurred upon the adoption of the order.

Mr. BRENT, of Baltimore city, moved the question be taken by yeas and nays,

And being ordered,

Appeared as follows:

*Affirmative*—Messrs. Chapman, Pres't, Sellman, Buchanan, Bell, Welch, Ridgely, Lloyd, Sherwood, of Talbot, Colston, Thomas, Shriver, Johnson, Gaither, Biser, Annan, Sappington, McHenry, Nelson, Stewart, of Caroline, Hardcastle, Gwinn, Stewart, of Baltimore city, Brent, of Baltimore city, Sherwood of Baltimore city, Ware, Schley, Fiery, Neill, Harbine, Brewer, Anderson, Weber, Hollyday, Slicer, Fitzpatrick, Parke, and Shower,—37.

*Negative*—Messrs. Morgan, Ricaud, Lee, Chambers, of Kent, Donaldson, Dorsey, Wells, Randall, Kent, Weems, Brent, of Charles, Merrick, John Dennis, Crisfield, Dashiell, Hicks,

Goldsborough, Eccleston, Phelps, Miller, Bowie, Tuck, Sprigg, Bowling, Spencer, Grason, George, Wright, Dirickson, McMaster, Hearn, Fooks, Jacobs, Davis, Kilgour and Smith—36.

So the order was adopted.

Mr. SPENCER gave notice that at the proper time, he should offer the following amendments to the report of the judiciary committee, which he desired should be entered upon the record.

Amendment to the second section:

"The Court of Appeals shall consist of a chief justice and three assistant justices, any three of whom shall form a quorum, whose judgment shall be final and conclusive in all cases of appeals, and who shall have like jurisdiction with the present court of appeals, of this State, and such other jurisdiction as may hereafter be prescribed by the General Assembly of Maryland. The Governor for the time being, by and with the advice and consent of the Senate, shall designate the chief justice. Their salaries shall be respectively twenty-five hundred dollars per year, and shall not be diminished during their continuance in office."

Substitute for fifth section:

"Sec. 5. The State shall be divided into four districts, as prescribed in section of this Constitution, and one person of integrity and sound judgment in the law, who shall have been a citizen of this State at least five years, and a resident of the district, and not above the age of years, shall be appointed by the Governor for the time being, by and with the advice and consent of the Senate, from each of said districts, as a judge of the said Court of Appeals, who shall hold his office for the term of ten years from the time of his appointment, or until he shall have attained the age of years, which ever may first happen, and be eligible thereto until he shall have attained the age of years, and not afterwards."

Sec. 6. The Judges of the Court of Appeals and of all other courts in this State, during the term of their appointment shall be subject to removal for incompetency, in the neglect of duty, misdemeanor in office, and such other causes as may be prescribed by law, by presentment of the grand jury and conviction of a petit jury of the county in which they shall respectively reside, or by the Governor upon the address of the General Assembly, two-thirds of the members of each house concurring in said address."

Mr. TUCK, chairman of the committee to consider and report respecting the appointment, tenure of office, duties and compensation of civil officers, not embraced in the duties of other standing committees, submitted the following

#### REPORT.

The committee "to consider and report respecting the appointment, tenure of office, duties and compensation of all civil officers not embraced in the duties of other standing committees," respectfully submit the following report:

1st. Of the lottery commissioner; there shall be one lottery commissioner who shall perform the duties now or that may hereafter be